

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

ROBERT KOLINEK, individually and on behalf  
of all others similarly situated,

*Plaintiff,*

vs.

WALGREEN CO., an Illinois corporation,

*Defendant.*

Case No. 13-cv-4806

Honorable Matthew F. Kennelly

**RESPONSE OF DEFENDANT WALGREEN CO.  
TO THE COURT'S REQUEST FOR AUTHORITY**

Pursuant to this Court's instructions on July 22 and July 31, 2014, Defendant Walgreen Co. ("Walgreens") submits this response to the Court's request for authority. At the July 22, 2014 hearing, the Court noted that Walgreens had cited FTC commentary regarding the benefits of exempting health information calls (specifically including prescription refill reminders) from the Telemarketing Sales Rule ("TSR") and asked for citation of the regulation that enacted such an exemption. The TSR is codified at 16 C.F.R. §§ 310 et seq. The exemption was adopted effective October 1, 2008, and is codified at 16 C.F.R. § 310.4(b)(1)(v)(D).

Dated: July 31, 2014

Respectfully submitted,

/s/ Bradley J. Andreozzi

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